

FILED: August 1, 2011

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6924
(7:11-cv-00257-JCT)

OPHELIA AZRIEL DE'LONTA

Plaintiff - Appellant

v.

GENE JOHNSON, Director of VDOC; FRED SCHILLING, Director of Health Services for VDOC; MEREDITH R. CAREY, Chief Psychiatrist for VDOC; GARY L. BASS, Chief of Operations, VDOC; W. P. ROGERS, Assistant Deputy Director of Operations, VDOC; GERALD K. WASHINGTON, Regional Director, Central Regional Office for the VDOC; EDDIE PEARSON, Warden of Powhatan Correctional Center, VDOC; ANTHONY SCOTT, Chief of Security at Powhatan Correctional Center; ROBERT L. HULBERT, PhD., Mental Health Director for the VDOC; LARRY EDMONDS, Warden, Buckingham Correctional Center, VDOC; MAJOR C. DAVIS, Chief of Security of Buckingham Correctional Center; LISA LANG, Staff Psychologist; TONEY, Counselor at Buckingham Correctional Center; LOU DIXON, Registered Nurse Manager, Buckingham Correctional Center

Defendants - Appellees

O R D E R

Ophelia De'lonta, #1014174 , has applied to proceed without prepayment of fees and given written consent to the collection in installments of the filing fee from

appellant's trust account in accordance with the terms of the Prison Litigation Reform Act, 28 U.S.C. § 1915(b)(PLRA). The court grants appellant leave to proceed without full prepayment of fees and directs that:

an initial partial fee of 20 percent of the greater of the average monthly deposits or average monthly balance for the six-month period immediately preceding the filing of the notice of the appeal be paid from appellant's trust account when funds are available; and

monthly payments of 20 percent of the preceding month's income be collected from the appellant's trust account and forwarded to the Clerk, U.S. District Court, each time the amount in the account exceeds \$10 until the filing fee has been paid in full.

If an inmate has been ordered to make PLRA payments in more than one action or appeal in the federal courts, the total amount collected for all cases cannot exceed 20 percent of the inmate's preceding monthly income or trust account balance, as calculated under 28 U.S.C. § 1915(b)(1) & (2).

Fees for this appeal shall be paid as follows:

***Total Fee: \$455**

*** All payments shall include:**

Appeal No.: 11-6924
Civil Action No.: 7:11-cv-00257-JCT

*** All payments shall be mailed to:**

Clerk, U.S. District Court
210 Franklin Road, SW

Roanoke, VA 24011

In the event appellant is transferred to another institution, the balance due shall be collected and paid to the clerk by the custodian at appellant's next institution. Appellant's custodian shall notify the Clerk, U. S. District Court, in the event appellant is released from custody.

This order is subject to rescission should the court determine that appellant has had three prior cases dismissed as frivolous, malicious, or for failure to state a claim and appellant is not under imminent danger of serious physical injury.

A copy of this order shall be sent to appellant's custodian, to the Clerk, U. S. District Court, and to all parties.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk